

**DEPARTMENT OF CONSUMER AFFAIRS  
BUREAU of NATUROPATHIC MEDICINE**

**Modified Text**

**Changes to the originally proposed language are shown by double underline for new text and double strikeout for deleted text.**

**§ 4204. Filing of Addresses.**

Each ~~person holding a~~ licensee or certificate holder ~~of registration issued by the Bureau~~ shall have on file at the principal office of the Bureau his or her correct mailing and street addresses, which must include a physical business or residence address. In addition, each licensee or certificate holder shall designate an address of record that shall be public information, which may consist of a post office box number or other viable mailing address. Each licensee or certificate holder shall within fourteen (14) days notify the Bureau in writing of any changes in his or her mailing or street addresses or address of record, giving both the old and new addresses.

NOTE: Authority cited: Sections 3620 and 3622, Business and Professions Code.  
Reference: Section 3624, Business and Professions Code.

**§ 4206. Definitions.**

For the purpose of the regulations contained in this division, the term:

- (a) "Act" means the provisions of the Naturopathic Doctors Act, Chapter 8.2 (commencing with Section 3610) of Division 2 of the Business and Professions Code.
- ~~(b) "Approved naturopathic medical school" means an educational institution that offers a naturopathic medical educational program approved by the Bureau.~~
- ~~(c) "Bureau" means the Bureau of Naturopathic Medicine within the Department of Consumer Affairs.~~
- ~~(d) "Certificate holder" means a person issued a certificate of registration by the Bureau pursuant to Section 3624 of the Code.~~
- ~~(e) "Chief" or "Bureau Chief" means the Chief of the Bureau of Naturopathic Medicine.~~
- ~~(f) "Citizen" means a resident of California.~~
- ~~(g) "Code" means the Business and Professions Code.~~
- ~~(h) For the purposes of subdivision (e) of Section 3644 of the Code, "family member" means the spouse, child, parent or sibling of the person providing the aid.~~
- ~~(i) "Licensee" means a person issued a naturopathic doctor's license by the Bureau.~~
- (b) "Approved naturopathic medical school" means an educational institution that offers a naturopathic medical educational program approved by the Bureau.
- (c) "Bureau" means the Bureau of Naturopathic Medicine within the Department of Consumer Affairs.

(d) "Certificate holder" means a person issued a certificate of registration by the Bureau pursuant to Section 3624 of the Code.

(e) "Chief" or "Bureau Chief" means the Chief of the Bureau of Naturopathic Medicine.

(f) "Citizen" means a resident of California.

(g) "Code" means the Business and Professions Code.

(h) For the purposes of subdivision (c) of Section 3644 of the Code, "family member" means the spouse, child, ward (of an appointed guardian within the meaning of Part 2, Chapter 1 of the Probate Code, beginning with §1500), parent or sibling of the person providing the aid.

(i) "Licensee" means a person issued a naturopathic doctor's license by the Bureau.

NOTE: Authority cited: Sections 3620 and 3622, Business and Professions Code.

Reference: Sections 3610, 3624, 3625, 3630 and 3644, Business and Professions Code.

## **§ 4212. License Application; Process.**

(a) A person who desires a license as a naturopathic doctor shall submit an application to the Bureau on a form prescribed by the Bureau that includes all of the following:

(1) The applicant's name, mailing and street addresses, telephone numbers, social security number, date and place of birth and the institutions attended that provided naturopathic medical education.

(2) As to any other health care license or certificate currently or previously held by the applicant:

(A) The date that a license or certificate was first issued to the applicant, the name of the body that issued the license or certificate, and the status of the license or certificate.

(B) A statement as to whether or not the applicant has ever been denied a health care license or certificate.

(C) A statement as to whether or not any type of disciplinary action has ever been taken against a health care license or certificate.

(D) A statement as to whether the applicant ever voluntarily surrendered a health care license or certificate.

(3) The date, jurisdiction and official results of any naturopathic licensing examinations taken by the applicant, including the Naturopathic Physicians Licensing Examination (NPLEX).

(4) A statement as to whether or not the applicant has any condition which in any way impairs their ability to practice naturopathic medicine with reasonable skill and safety, including but not limited to a condition that required admission to an inpatient psychiatric treatment facility, an alcohol or chemical substance dependency or addiction, an emotional, mental or behavioral disorder(s) or other condition.

(5) Official transcripts embossed with the registrar's seal from an approved naturopathic medical school indicating that the applicant received a degree or diploma from the school.

(6) A statement as to whether the applicant ever been convicted of any crime other than a minor traffic violation.

(7) A statement as to whether the applicant intends to furnish or order drugs pursuant to Sections 3640.5 or 3640.7 of the Code and Section 4236. An applicant who intends to

furnish or order drugs shall submit written evidence to the Bureau that the licensee has completed at least forty-eight (48) hours of instruction in pharmacology that included the pharmacokinetic and pharmacodynamic principles and properties of the drugs to be ordered or furnished under the provisions of the Act. To comply with this requirement, the instruction must have been offered by one of the following:

- (A) An approved naturopathic medical school;
  - (B) An institution of higher learning that offers a baccalaureate or higher degree in medicine, nursing, pharmacy, or public health; or,
  - (C) An educational institution or provider with standards and course content that are equivalent to the instruction provided by subparagraph (A) or (B), as determined by the Bureau.
- (8) ~~A set of original certified fingerprints of the applicant or proof of completion of Live Scan fingerprinting.~~ Proof of completion of Live Scan fingerprinting or for out-of-state applicants a set of original certified fingerprints and fee specified in Section 4240.
  - (9) A passport-size photograph of the applicant taken within six months immediately preceding filing the application.
  - (10) A certification under the penalty of perjury as to the contents of the application and any attachments thereto, signed and dated by the applicant.
  - (11) A statement authorizing release to the Bureau of the information enumerated in the application and any attachments thereto.
  - (12) The application fee as specified in Section 4240. The application fee is not refundable.

NOTE: Authority cited: Sections 3620, 3622 and 3680, Business and Professions Code.  
Reference: Sections 30, 144, 480, 3620, 3630, 3631, 3633, 3680 and 3681, Business and Professions Code.

#### **§ 4220. Examination.**

- (a) An applicant shall successfully pass the licensing examination prior to being licensed. The licensing examination shall consist of Part I and Part II of the Naturopathic Physicians Licensing Examination (NPLEX), as administered by the North American Board of Naturopathic Examiners (NABNE), except that successful completion of Part I of the NPLEX is not required for those individuals issued a waiver by NABNE, or NABNE deems the form of the examination “era appropriate.” The passing score on the NPLEX shall be determined by a criterion-referenced passing score procedure.
- (b) The criterion-reference passing score procedure shall meet the standards and guidelines set forth in Section 139 of the Code and the Standards for Educational and Psychological Testing.
- (c) Subdivision (a) shall not apply to applicants who have:
  - (1) Filed an application for licensure with the Bureau no later than December 31, 2007; and,
  - (2) Graduated from an approved naturopathic medical school prior to January 1, 1986; and,
  - (3) Passed a naturopathic licensing examination administered by another state. The results of the other state’s licensing examination shall be submitted directly to the Bureau by the other state’s licensing agency or board.

NOTE: Authority cited: Section 3622, Business and Professions Code. Reference: Sections 139, 3630, 3631, 3633, and 3633.1, Business and Professions Code.

**§ 4226. Renewal of Expired License; Late Renewal Fee.**

- (a) Except as otherwise provided in the Code, a license which has expired may be renewed upon the filing of an application for renewal and payment of the renewal fee established in Section 4240.
- (b) If a license is renewed more than 30 days after its expiration, the licensee, as a condition precedent to renewal, shall also pay the late renewal fee specified in Section 4240.
- (c) Renewal under this Section shall be effective on the date on which the renewal application is filed, on the date on which the renewal fee is paid, or on the date on which the late renewal fee, if any, is paid, whichever last occurs. If so renewed, the license or certificate shall continue in effect through the period established in Section 4222(b) of this article, when it shall expire if it is not renewed.
- (d) An expired license may be renewed at any time within three (3) years after its expiration. As a condition precedent to renewal, the licensee shall be required to pay all accrued and unpaid renewal fees and any late fees.
- (e) A license that is not renewed within three (3) years after its expiration may not be renewed or reissued thereafter, but the holder of the license may apply for and obtain a new license if the following requirements are satisfied:
  - (1) No fact, circumstance, or condition exists which would justify denial of licensure under Section 480.
  - (2) He or she pays all of the fees which would be required of him or her if he or she were then applying for the license for the first time and all renewal and late fees that have accrued since the date on which he or she last renewed his or her license.
  - (3) He or she otherwise establishes to the satisfaction of the Bureau that with due regard for the public interest, he or she is qualified to practice naturopathic medicine.The Bureau may impose conditions on any license issued pursuant to this section as it deems necessary, including taking and passing the examination.

NOTE: Authority cited: Sections 3622, 3634 and 3680, Business and Professions Code.  
Reference: Sections 3634 and 3680, Business and Professions Code.

**§ 4228. Inactive License.**

- (a) A licensee in good standing who desires an inactive license shall submit his or her written request for an inactive license to the Bureau at its principal office.
- (b) In order to restore an inactive license to active status, the licensee shall submit a written request for reactivation to the Bureau and evidence that the licensee has completed the required number of hours of approved continuing education in compliance with this article, as applicable for the renewal period preceding the request to reactivate.
- (c) The holder of an inactive license shall continue to pay to the Bureau the required biennial renewal fee.

- (d) The Bureau shall inform a licensee who wishes to activate his or her license in writing within thirty (30) days of receipt of the application specified in subdivision (b) whether the application is complete and accepted for filing or is deficient and what specific information is required. The Bureau shall decide within thirty (30) days after the filing of a completed application whether the licensee meets the requirements for activation.

NOTE: Authority cited: Section 3622, Business and Professions Code. Reference: Sections 700-704 and 3636, Business and Professions Code.

#### **§ 4236. Furnishing and Ordering of Drugs.**

(a) In order to furnish or order drugs or dangerous devices pursuant to Section 3640.5 of the Code or prescribe drugs or dangerous devices pursuant to Section 3640.7 of the Code, a licensee shall first obtain a furnishing number from the Bureau by submitting written evidence to the Bureau of all the information required by Section 4212(a)(7).

~~(a)(b)~~ The furnishing and ordering of drugs or dangerous devices pursuant to Section 3640.5 of the Code by a licensee is conditional upon all the following:

- (1) Compliance with subdivisions (a), (b), (c), (d), and (f) of Section 3640.5 of the Code.
- (2) Registration with the United States Drug Enforcement Agency, where required.
- (3) The issuance of a furnishing number to the licensee by the Bureau.

~~(b)~~ A drug order issued by a naturopathic doctor shall contain all of the following:

- ~~(1) The printed name, address, and telephone number of the supervising physician and surgeon.~~
- ~~(2) The printed or stamped name, license number and furnishing number of the naturopathic doctor.~~
- ~~(3) The naturopathic doctor's federal controlled substances registration number, if the drug order is for a controlled substance. This requirement may be met by stamping the naturopathic doctor's federal registration number on the order form.~~
- ~~(4) The signature of the naturopathic doctor.~~

(c) The prescribing of drugs or dangerous devices pursuant to Section 3640.7 by a licensee is conditional upon the issuance of a furnishing number to the licensee by the Bureau, and registration with the United States Drug Enforcement Agency where required.

~~(b)(d)~~ A drug order or prescription for a dangerous drug or dangerous device issued by a naturopathic doctor shall comply with the requirements of Section 4040 of the Code.

~~(e)(e)~~ A drug order for Furnishing, ordering or prescribing a controlled substance pursuant to Sections 3640.5(f) or 3640.7 of the Code issued by a naturopathic doctor shall be furnished, ordered, or prescribed in compliance with the California Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code) ~~comply with the requirements of Section 11164 of the Health and Safety Code.~~

NOTE: Authority cited: Sections 3620, 3622 and 3640.5(g), Business and Professions Code. Reference: Sections 3640.5, 3640.7, and 4040, Business and Professions Code; Section 11164, Health and Safety Code.

**§ 4240. Fees.**

~~(a)~~ The following fees are established:

~~(1)~~ (a) The application fee for a doctor of naturopathic medicine license shall be four hundred dollars (\$400).

~~(2)~~ (b) The initial license fee shall be eight hundred dollars (\$800), prorated according to the applicant's birth month and the date the license is issued pursuant to Section 4222. No license shall be issued for less than twelve (12) or more than 24 months. The fee for an initial license shall be in accordance with the following schedule:

**Initial Licensing Fee Schedule**

Birth Month ↓	Month Fee Received by the 15 <sup>th</sup> If received after the 15th, use the next month fee.											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
January	\$433	\$800	\$766	\$733	\$700	\$667	\$633	\$600	\$567	\$533	\$500	\$467
February	\$467	\$433	\$800	\$766	\$733	\$700	\$667	\$633	\$600	\$567	\$533	\$500
March	\$500	\$467	\$433	\$800	\$766	\$733	\$700	\$667	\$633	\$600	\$567	\$533
April	\$533	\$500	\$467	\$433	\$800	\$766	\$733	\$700	\$667	\$633	\$600	\$567
May	\$567	\$533	\$500	\$467	\$433	\$800	\$766	\$733	\$700	\$667	\$633	\$600
June	\$600	\$567	\$533	\$500	\$467	\$433	\$800	\$766	\$733	\$700	\$667	\$633
July	\$633	\$600	\$567	\$533	\$500	\$467	\$433	\$800	\$766	\$733	\$700	\$667
August	\$667	\$633	\$600	\$567	\$533	\$500	\$467	\$433	\$800	\$766	\$733	\$700
September	\$700	\$667	\$633	\$600	\$567	\$533	\$500	\$467	\$433	\$800	\$766	\$733
October	\$733	\$700	\$667	\$633	\$600	\$567	\$533	\$500	\$467	\$433	\$800	\$766
November	\$766	\$733	\$700	\$667	\$633	\$600	\$567	\$533	\$500	\$467	\$433	\$800
December	\$800	\$766	\$733	\$700	\$667	\$633	\$600	\$567	\$533	\$500	\$467	\$433

The Bureau must receive payment by the 15<sup>th</sup> of any given month for the Bureau to process and issue the license for that month. If payment is received after the 15<sup>th</sup>, the license will be process for issuance for the following month.

~~(3)~~ (c) The renewal fee for a license shall be eight hundred dollars (\$800).

~~(4)~~ (d) The late renewal fee for a license shall be one hundred and fifty dollars (\$150).

~~(5)~~ (e) The fee for processing fingerprint cards shall be ~~fifty-six (\$56) dollars~~ the current fee charged by the Department of Justice.

~~(6)~~ (f) The fee for a duplicate or replacement license shall be twenty-five (\$25) dollars.

NOTE: Authority cited: Sections 122, 3622, 3634, 3680, and 3685, Business and Professions Code. Reference: Sections 122, 144, 3630, 3634, 3680 and 3685, Business and Professions Code.